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U.S. COURT OF APPEALS

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UNITED STATES DISTRICT COURT
Northern District of California
450 Golden Gate Avenue
San Francisco, California 94102

www.cand.uscourts.gov

Richard W. Wiking
Clerk

September 3, 2008

FILED _____
General Court Number
415.522.2000

SEP 8 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Clerk
U.S. Court of Appeals
For the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119-3939

08/6953

CASE NUMBER: CV 07-3953 PJH

CASE TITLE: McFarland v. Guardsmark, LLC

USCA Case Number:

Dear Sir/Madam:

Enclosed is the Notice of Appeal in the above captioned case. Please acknowledge receipt on the enclosed copy of this letter and return it to this office.

Sincerely,

RICHARD W. WIEKING, Clerk

Felicia Reloba

by: Felicia Reloba
Case Systems Administrator

cc: Counsel of Record

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SEP 04 2008

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

JOHNNY MCFARLAND, on behalf of
himself and all others similarly situated,

Plaintiff - Appellant,

v.

GUARDSMARK, LLC,

Defendant - Appellee.

No. 08-16953

D.C. No. 3:07-cv-03953-PJH
Northern District of California,
San Francisco

**TIME SCHEDULE
ORDER**

The parties shall meet the following time schedule:

Wed., August 27, 2008 Appellant/petitioner shall immediately file the civil appeals docketing statement (CADS), pursuant to Circuit Rule 33-1;

Tue., October 14, 2008 Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

Thu., November 13, 2008 The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral

argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

**Molly C. Dwyer
Clerk of Court**

**Gerald Rosen
Deputy Clerk**